

Subject: 1330 W. Pico Boulevard

From: Joel Miller <jmiller@psomas.com>

Date: 4/23/18, 9:36 AM

To: Naomi Guth <Naomi.Guth@lacity.org>, "Christina Park " <christina.park@lacity.org>, "Ken Bernstein " <Ken.Bernstein@lacity.org>

CC: Paul Garry <paul.garry@psomas.com>, Dave Garcia <david@sandstoneproperties.com>, Gerald Gubatan <Gerald.Gubatan@lacity.org>

Good morning. I've had an opportunity to look over Sec. 12.20.3 F.3 (d) of the Code, which we discussed last week. I've copied all of Subsection "F" below in black and subsection F.3 (d) in red below for everyone's convenience. Please look at the very last subsection - F.3 (d)(3). I think we all agree that an error was made when the site at 1330 Pico was included in the historic preservation survey. Subsection F.3 (d)(3) seems to address this situation head on. That is, if an error was made, the Director (of City Planning) has the ability to correct the error after receiving input from the Historic Preservation Board and Cultural Heritage Commission. This seems to be the appropriate course to take.

This is not unlike the recent matter that Psomas dealt with when we discovered an error in the zoning of the Colburn site downtown. A staff report was prepared and sent to PLUM (it did not go to the CPC) and then to full City Council. The entire process took only a couple of months. Again, for your convenience, I've enclosed those Colburn staff reports. Also, please note that there was no public hearing notification that was mailed or posted or published. It was very painless and straight-forward.

It would seem to me that the correct course to take for us would be to follow the Colburn example. That is, an error was made and the Director has the authority to correct it. The only exception is that Sec. 12.20.3.F.3 (d)(3) would require a stop at the Historic Preservation Board and the Cultural Heritage Commission. Do we all agree?

I would also add that we probably would still need to submit a Certificate of Compatibility because we intend to file our application for the development of the site prior to the correction in the HPOZ. Again, do we all agree?

Regards, Joel

F. Procedures for Establishment, Boundary Change or Repeal of a Preservation Zone.

1. Requirements. The processing of an initiation or an application to establish, change the boundaries of or repeal a Preservation Zone shall conform with all the requirements of Section 12.32<[http://library.amlegal.com/nxt/gateway.dll?f=jumplink\\$jumplink_x=Advanced\\$jumplink_vpc=first\\$jumplink_xsl=querylink.xsl\\$jumplink_sel=title;path;content-type;home-title;item-bookmark\\$jumplink_d=california\(lamc\)\\$jumplink_q=%5bfield%20folio-destination-name:%2712.32.%27%5d\\$jumplink_md=target-id=JD_12.32.>](http://library.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=california(lamc)$jumplink_q=%5bfield%20folio-destination-name:%2712.32.%27%5d$jumplink_md=target-id=JD_12.32.>) A. through D. of this Code, and the following additional requirements.

2. Initiation of Preservation Zone.

(a) By City Council, the City Planning Commission, the Director of Planning and the Cultural Heritage Commission. In addition to the provisions of Section 12.32<[http://library.amlegal.com/nxt/gateway.dll?f=jumplink\\$jumplink_x=Advanced\\$jumplink_vpc=first\\$jumplink_xsl=querylink.xsl\\$jumplink_sel=title;path;content-type;home-title;item-bookmark\\$jumplink_d=california\(lamc\)\\$jumplink_q=%5bfield%20folio-destination-name:%2712.32.%27%5d\\$jumplink_md=target-id=JD_12.32.>](http://library.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=california(lamc)$jumplink_q=%5bfield%20folio-destination-name:%2712.32.%27%5d$jumplink_md=target-id=JD_12.32.>) A., the Cultural Heritage Commission may initiate proceedings to establish, repeal, or change the boundaries of a Preservation Zone. Upon initiation by City Council, the City Planning Commission, the Director of Planning, or the Cultural Heritage Commission, a Historic Resources Survey shall be prepared, pursuant to Subdivision 3., below.

(b) By Application. The proceedings for the establishment of a Preservation Zone may also be initiated by Owners or Renters of property within the boundaries of the proposed or existing Preservation Zone, pursuant to Section 12.32<[http://library.amlegal.com/nxt/gateway.dll?f=jumplink\\$jumplink_x=Advanced\\$jumplink_vpc=first\\$jumplink_xsl=querylink.xsl\\$jumplink_sel=title;path;content-type;home-title;item-bookmark\\$jumplink_d=california\(lamc\)\\$jumplink_q=%5bfield%20folio-destination-name:%2712.32.%27%5d\\$jumplink_md=target-id=JD_12.32.>](http://library.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=california(lamc)$jumplink_q=%5bfield%20folio-destination-name:%2712.32.%27%5d$jumplink_md=target-id=JD_12.32.>) S.3.(b) of this Code.

(1) An Historic Resources Survey shall not be prepared for a proposed Preservation Zone until such an application is verified by the Planning Department to contain the signatures of at least 75 percent of the

Owners or lessees of property within the proposed district, pursuant to the requirements of Section 12.32<[\(2\) The application shall not be deemed complete until the requirements of Subsection F.2.\(b\)\(1\), above, are met and an Historic Resources Survey for the proposed Preservation Zone has been certified by the Cultural Heritage Commission pursuant to Subdivision 4.\(a\), below.](http://library.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink x=Advanced$jumplink vpc=first$jumplink xsl=querylink.xsl$jumplink sel=title;path;content-type;home-title;item-bookmark$jumplink d=california(lamc)$jumplink q=%5bfield%20folio-destination-name:%2712.32.%27%5d$jumplink md=target-id=JD 12.32.> S.3.(b) of this Code.</p></div><div data-bbox=)

3. Historic Resources Survey.

(a) Purpose. Each Preservation Zone shall have an Historic Resources Survey, which identifies all Contributing and Non-Contributing Elements and is certified as to its accuracy and completeness by the Cultural Heritage Commission.

(b) Context Statement. In addition to the requirements above, the Historic Resources Survey shall also include a context statement supporting a finding establishing the relation between the physical environment of the Preservation Zone and its history, thereby allowing the identification of Historic features in the area as contributing or non-contributing. The context statement shall represent the history of the area by theme, place, and time. It shall define the various Historical factors which shaped the development of the area. It shall define a period of significance for the Preservation Zone, and relate Historic features to that period of significance. It may include, but not be limited to, Historical activities or events, associations with Historic personages, architectural styles and movements, master architects, designers, building types, building materials, landscape design, or pattern of physical development that influenced the character of the Preservation Zone at a particular time in history.

(c) Finding of Contribution. For the purposes of this section, no building, structure, Landscaping, or Natural Feature shall be considered a Contributing Element unless it is identified as a Contributing Element in the Historic Resources Survey for the applicable Preservation Zone. Features designated as contributing shall meet one or more of the following criteria:

(1) Adds to the Historic architectural qualities or Historic associations for which a property is significant because it was present during the period of significance, and possesses Historic integrity reflecting its character at that time; or

(2) Owing to its unique location or singular physical characteristics, represents an established feature of the neighborhood, community or city; or

(3) Retaining the building, structure, Landscaping, or Natural Feature, would contribute to the preservation and protection of an Historic place or area of Historic interest in the City.

(d) Modification of a Previously Certified Historic Resources Survey. The City Council, City Planning Commission, or Director may find that a previously certified Historic Resources Survey needs to be modified, and may call for a revision, re-survey, or partial re-survey to a previously certified survey. Modifications, including boundary changes, re-surveys, partial re-surveys, and minor corrections of a previously certified Historic Resources Survey shall be processed as follows:

(1) Revisions involving a boundary change, expansion, or contraction of a Preservation Zone shall be certified by the Cultural Heritage Commission as to the accuracy of the survey, and shall be forwarded to the City Planning Commission for recommendation and the City Council for final action.

(2) Revisions involving a re-survey or partial re-survey of an existing Preservation Zone shall be certified by the Cultural Heritage Commission as to the accuracy of the survey, and shall be forwarded to the City Planning Commission for final action.

(3) The correction of technical errors and omissions in a previously certified Historic Resources Survey can be made by the Director based on input from the Board and the Cultural Heritage Commission or its designee.

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